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February 6, 2025

VIA ECF

Honorable Jessica G.L. Clarke
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

**Re: *Tenezaca, et al, v. 808 Lex Restaurant, LLC, et al,*
23-cv-08545 (JGLC)**

Dear Judge Clarke:

We represent Plaintiffs and the class in the above-captioned matter. We write to clarify the nature of Plaintiffs' submissions to the Court of January 21, 2025. *See* Dkt. Nos. 109, 112.

This action was brought as a class/collective action under the FLSA and NYLL brought on behalf of employees at Il Gradino restaurant in Manhattan. The Plaintiff group includes individuals that were tipped employees that worked for Defendants, and their claims were brought on behalf of themselves and a proposed Rule 23 Class of "front-of-the house" employees. In addition, there is another subset of employees that worked in the kitchen, and their claims were brought individually.

The Parties have reached settlements on both sets of claims and submitted two separate motions for approval. The first motion (Dkt. No. 109) is for preliminary approval of the class-wide settlement of the claims of "front of the house" employees. The second motion (Dkt. No. 112) is for approval of the "back of the house" employees' individual settlement pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015).

We thank the Court for its attention to this matter.

Respectfully submitted,

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s/ Josef Nussbaum
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cc: All Counsel of Record (via ECF)